

Remarks

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Thus, claim 21, which is the only independent claim in the application, has been amended to incorporate the subject matter of claim 25, as a result of which claim 25 has been cancelled.

Claims 26 and 27 have been cancelled, since they are duplicates of claims 22 and 23, respectively, considering the amendment to claim 21.

Claims 31 and 35 have been cancelled, since they are dependent on cancelled claim 25.

Applicant respectfully submits that these amendments should be entered even though they are being presented after a final rejection. The effect of the amendments is to present claim 25 in independent form. Since the Examiner has already considered claim 25, entry of the amendments will not require any further consideration and/or search of the prior art. Accordingly, the requested amendments should be entered.

The patentability of the presently claimed invention, after entry of the foregoing amendments, over the disclosures of the references relied upon by the Examiner in rejecting the claims, will be apparent upon consideration of the following remarks.

Thus, the rejection of claims 21-31 under 35 U.S.C. §103(a) as being unpatentable over Pagani in view of JP-05295374, as well as the rejection of claims 32-36 under 35 U.S.C. §103(a) as being unpatentable over Pagani in view of JP '374 and further in view of Kapoor et al., the rejection of claim 37 under 35 U.S.C. §103(a) as being unpatentable over Pagani in view of JP '374 and further in view of Ronning et al., and the rejection of claims 38-40 under 35 U.S.C. §103(a) as being unpatentable over Pagani in view of JP '374 and further in view of Beshty, are respectfully traversed.

As indicated above, amended claim 21, the only independent claim in the application, requires that the separated CO₂-rich gas stream has a pressure within a range of 20 to 200 bar. This limitation is taken from claim 25.

The Examiner comments on claim 25 (or more generally claims 25-27) in the first full paragraph on page 8 of the Office Action. However, it does not appear that the Examiner has

specifically addressed the pressure limitation of claim 25, but rather, addresses the mere separation of hydrogen from carbon dioxide.

Applicant confirms that neither the Pagani reference nor the JP '374 reference (which the Examiner combines with Pagani) teaches the separation of carbon dioxide from hydrogen in a manner such that the separated carbon dioxide stream has a pressure within the range from 20 to 200 bar. Since this feature of the presently claimed invention is neither disclosed nor suggested in these references, or any of the other applied references, Applicant takes the position that the subject matter of amended claim 21 (as well as all of the other claims which are directly or indirectly dependent thereon) is clearly patentable over the references.

Therefore, in view of the foregoing amendments and remarks, it is submitted that each of the grounds of rejection set forth by the Examiner has been overcome, and that the application is in condition for allowance. Such allowance is solicited.

Respectfully submitted,

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